

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA :
v. : **CRIMINAL NO. 29-548**
DIMITRE HADJIEV :

ORDER

AND NOW, this _____ day of November, 2022, upon consideration of the Government's Motion To Dismiss Count 9, second Count 10, second Count 11, and Counts 16, 18, 20, 22 and 23 from the Second Superseding, it is hereby ORDERED, pursuant to Federal Rule of Criminal Procedure 48(a), that Count 9, second Count 10, second Count 11, and Counts 16, 18, 20 and 22 are dismissed from the Second Superseding Indictment in this case.

IT IS FURTHER ORDERED that the Court's Order of November 10, 2022 dismissing Counts 16, 18, 20 and 22 and renumbering counts in the Second Superseding Indictment (Docket No. 244) is rescinded.

BY THE COURT:

HONORABLE CYNTHIA M. RUFFE
Judge, United States District Court

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA :
v. : **CRIMINAL NO. 19-548**
DIMITRE HADJIEV :

**GOVERNMENT'S MOTION TO DISMISS
COUNT 9, SECOND COUNT 10, SECOND COUNT 11,
AND COUNTS 16, 18, 20, 22 AND 23
FROM, THE SECOND SUPERSEDING INDICTMENT**

The United States of America, by and through its attorneys, Jacqueline C. Romero, United States Attorney for the Eastern District of Pennsylvania, and K.T. Newton, Assistant United States Attorney for the District, respectfully moves this Court, pursuant to Federal Rule of Criminal Procedure 48(a), to dismiss Counts 9, second count 10, second count 11, 16, 18, 20, 22 and 23 of the Second Superseding Indictment in this case. In support of this motion, the government states as follows:

1. On September 17, 2019, the grand jury in the Eastern District of Pennsylvania returned an indictment charging defendant Dimitre Hadjiev with: in Count 1, money laundering - sting, in violation of 18 U.S.C. § 1956(a)(3); Count 2, failure to file record of financial transaction, in violation of 31 U.S.C. § 5324(b)(1); and Count 3, structuring of financial transactions, in violation of 31 U.S.C. § 5324(a)(3).

2. On November 19, 2019, the grand jury issued a superseding indictment. Counts One through Three of the new indictment carried over the original charges. In addition, that pleading added one substantive attempted trafficking in counterfeit goods charge (Count Four). All of the counts of the Superseding Indictment named Hadjiev as a defendant.

3. On March 4, 2021, the grand jury issued a second superseding indictment. Counts One through Four of the new indictment carried over the charges from the superseding indictment. In addition, the pleading added 22 substantive counts: 21 counts of structuring of financial transactions, in violation of 31 U.S.C. §§ 5324(a)(1) and (d)(2) (Counts 5 through 23); and one count of structuring of financial transactions, in violation of 31 U.S.C. §§ 5324(a)(3) and (d)(2) (Count 24). The counts were not numbered correctly, however, as there were duplicate Counts 10 and 11.

4. The government has elected not to pursue eight of the substantive money laundering counts of the second superseding indictment brought under 18 U.S.C. § 1956(a)(1). Therefore, the government moves the Court to dismiss Count 9, Second Count 10, Second Count 11, and Counts 16, 18, 20, 22 and 23 from the Second Superseding Indictment. The government is not moving to dismiss any other charges or the forfeiture notices.

5. The government also asks the Court to rescind its Order of November 10, 2022 (Docket No. 244), which had granted the government's motion to dismiss counts and renumber counts in an Amended Second Superseding Indictment. As the counts should not have been renumbered, the government filed a praecipe to withdraw the Amended Second Superseding Indictment (listed as Docket No. 240), and rescind Court's Order of November 10, 2022 dismissing Counts 16, 18, 20 and 22 and renumbering counts in the Second Superseding Indictment (listed at Docket No. 244). Docket No. 252.

Wherefore, for the reasons stated above, the government requests that, pursuant to Federal Rule of Criminal Procedure 48(a), this Court dismiss Counts 9, second Count 10, second Count 11, 16, 18, 20, 22 and 23 of the Second Superseding Indictment in this case.

Respectfully submitted,

JACQUELINE C. ROMERO
United States Attorney

/s/ K.T. Newton
K.T. NEWTON
Assistant United States Attorneys

Dated: November 17, 2022

CERTIFICATE OF SERVICE

K.T. Newton, Assistant United States Attorney, represents that she caused the foregoing Government's Motion To Dismiss Counts and proposed Order to be served by electronic filing on the Court's Electronic Case Filing system on the following counsel:

Daniel Cevallos, Esquire
Peter J. Scuderi, Esquire
Daniel Pell, Esquire
Attorneys for defendant Dimitre Hadjiev

/s/ K.T. Newton
K.T. Newton
Assistant United States Attorney

Dated: November 17, 2022